

House File 190 - Introduced

HOUSE FILE 190

BY FRY

A BILL FOR

1 An Act relating to cross-over visitation between residents or
2 tenants in a shared campus long-term care facility during a
3 national public health emergency or public health disaster.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. CROSS-OVER VISITATION — RESIDENTS AND TENANTS
2 RESIDING IN SHARED CAMPUS FACILITY — EMERGENCY OR DISASTER.

3 1. The department of inspections and appeals shall require
4 a long-term care facility that provides various levels of
5 residential care in a shared campus setting to provide for
6 cross-over visitation between residents or tenants who are
7 related by consanguinity or affinity to maintain or improve
8 the resident's or tenant's health and well-being during a
9 national public health emergency or public health disaster.
10 The long-term care facility may require compliance with public
11 health precautions, limit the site of the cross-over visitation
12 to primarily a resident's or tenant's room, or prescribe other
13 measures relative to such visitation to ensure the safety of
14 all residents, tenants, and staff. The department shall adopt
15 rules pursuant to chapter 17A to administer this section.

16 2. For the purposes of this section:

17 a. "Assisted living program" means the same as defined in
18 section 231C.2.

19 b. "Continuing care retirement community" means the same as
20 defined in section 523D.1.

21 c. "Cross-over visitation" means visitation between an
22 individual residing in a portion of a long-term care facility
23 providing a specified level of care and an individual residing
24 in another portion of a long-term care facility providing a
25 different level of care.

26 d. "Long-term care facility" means a nursing facility,
27 an assisted living program, a continuing care retirement
28 community, or a senior adult congregate living facility, or any
29 combination of such facilities, programs, or communities.

30 e. "National public health emergency" means a public health
31 emergency declared by the secretary of the United States
32 department of health and human services pursuant to section 319
33 of the federal Public Health Services Act, Pub. L. No. 104-321,
34 42 U.S.C. §247d.

35 f. "Nursing facility" means the same as defined in section

1 135C.1.

2 g. "Public health disaster" means the same as defined in
3 section 135.140.

4 h. "Resident" means a person residing in a nursing facility,
5 a continuing care retirement community, or a senior adult
6 congregate living facility.

7 i. "Senior adult congregate living facility" means the same
8 as defined in section 523D.1.

9 j. "Tenant" includes a tenant of an assisted living program
10 or an independent living tenant of a continuing care retirement
11 community.

12 EXPLANATION

13 The inclusion of this explanation does not constitute agreement with
14 the explanation's substance by the members of the general assembly.

15 This bill provides for visitation between residents and
16 tenants of long-term care facilities during a national public
17 health emergency or public health disaster.

18 Under the bill, the department of inspections and appeals
19 (DIA) shall require a long-term care facility that provides
20 various levels of residential care in a shared campus setting
21 to provide for cross-over visitation between residents or
22 tenants who are related by consanguinity or affinity to
23 maintain or improve the resident's or tenant's health and
24 well-being during a national public health emergency or public
25 health disaster. The long-term care facility may require
26 compliance with certain precautionary measures relative to
27 the visit to ensure the safety of all residents, tenants, and
28 staff. DIA shall adopt administrative rules to administer the
29 bill. The bill provides definitions for terms used in the
30 bill including "cross-over visitation" which means visitation
31 between an individual residing in a portion of a long-term care
32 facility providing a specified level of care and an individual
33 residing in another portion of a long-term care facility
34 providing a different level of care; "long-term care facility";
35 "public health disaster"; "resident"; and "tenant".